

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

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**DISSOLUTION OF MARRIAGE/LEGAL SEPARATION/NULLITY  
FORMS AND GENERAL INFORMATION PACKET**

**PART II. FINISHING YOUR CASE**

**TYPE B: DEFAULT CASE**

This packet includes forms and instructions to *finish* your Dissolution of Marriage (Divorce)/Legal Separation/Nullity case. The instructions are on colored paper, the forms are on white. Please read all of the instructions before you begin.

**ALERT! The forms contained in this packet finish your case. If you have not started your case, you must obtain the first packet entitled “Part I. Beginning the Process.”**

**NOTE: ALL BOLDED ITEMS IN THESE INSTRUCTIONS ARE THE NAMES OF FORMS FOLLOWED BY THE FORM NUMBER.**

In order to determine which forms are required to finish your case, you must first determine which type of case you have. The four different types are listed below:

**TYPE A:** PETITION filed and served, no RESPONSE filed within 30 days of completed service of the Petition and Summons, and you and your spouse **DO NOT HAVE A WRITTEN AGREEMENT**. This type of case is referred to as a **TRUE DEFAULT CASE** (Yellow Packet).

**TYPE B:** PETITION filed and served, no RESPONSE filed within 30 days of completed service of the Petition and Summons, and you and your spouse **HAVE A WRITTEN AGREEMENT** on all issues. This type of case is referred to as a **DEFAULT CASE** (Green Packet).

**TYPE C:** PETITION filed and served, RESPONSE filed and served, and you and your spouse **HAVE A WRITTEN AGREEMENT** on all issues. This type of case is referred to as an **UNCONTESTED CASE** (Pink Packet).

TYPE D: PETITION filed and served, RESPONSE filed and served, and there is NO WRITTEN AGREEMENT on all issues. This type of case is referred to as a CONTESTED CASE (seek legal assistance). (Golden Rod Packet)

Once you have determined which type of case you have, follow the instructions. All steps must be completed and all information must be provided before your Judgment can be granted. If your case is either a TYPE A, B or C, you most likely will be able to obtain a final Judgment without ever appearing in court. If your case is a TYPE D, you should seek legal assistance or consult with the Family Law Facilitator.

Note! A written agreement, as used in these instructions, means a document signed by both parties, which includes the terms of your agreement regarding your community/separate property, spousal support, child support, and child custody and visitation,

## TYPE B. DEFAULT CASE

No Response filed within 30 days of completed service of **Petition** and **Summons** and a written agreement between the parties on all issues.

**ALERT! COMPLETION OF FORMS**—(All forms in the first packet entitled “Part I. Beginning the Process” must be filed first).

1. To finish your case, the following forms must be completed.

- ☐ **Request to Enter Default** (Form FL-165) [www.courtinfo.ca.gov/forms/fillable/fl165.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl165.pdf)  
Complete and submit this form only after 30 days have passed since your spouse was served with the **Petition** and **Summons** and **no Response** was filed, and you have filed the **Proof of Service of Summons** as explained in the first packet, “Part I. Beginning the Process.”
- ☐ **Declaration Regarding Service of *Final* Declaration of Disclosure** (Form FL-141) [www.courtinfo.ca.gov/forms/fillable/fl141.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl141.pdf) This form is required unless both parties waive receipt of the *final* disclosure documents by filing a **Stipulation and Waiver of Final Declaration of Disclosure** (Form FL-144) [www.courtinfo.ca.gov/forms/fillable/fl144.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl144.pdf) or a **Waiver of Final Declaration of Disclosure** (Form RI-F24). [www.courts.co.riverside.ca.us/localfrms/F24.pdf](http://www.courts.co.riverside.ca.us/localfrms/F24.pdf)

**NOTE:** Both parties must file a **Declaration Regarding Service of *Preliminary* Declaration of Disclosure** (Form FL-141) when submitting a *Marital Settlement Agreement*. Instructions for completing this form are in the first packet, “Part I. Beginning the Process.”

- ☐ **Declaration for Default or Uncontested Dissolution or Legal Separation** (FL-170) [www.courtinfo.ca.gov/forms/fillable/fl170.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl170.pdf) This form allows you to finalize your divorce without going to court. Therefore, you must take great care in filling it out correctly.
- ☐ **Judgment** (FL-180) [www.courtinfo.ca.gov/forms/fillable/fl180.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl180.pdf) Complete this form and attach your *Marital Settlement Agreement* or *Stipulated Judgment*.
- ☐ *Marital Settlement Agreement (MSA)*. You must submit a written agreement between the parties or use the attached Marital Settlement Agreement/Addendum to Judgment form instead of the MSA or stipulated judgment. Whichever document you choose, it must address all of the following issues.
  - a. child custody and visitation
  - b. child support
  - c. property division, including confirming separate property and dividing community assets and debts
  - d. spousal support requests or waivers, and
  - e. restoration of former name, if applicable.

You may include additional agreements reached by the parties. You must both sign and date the MSA and **RESPONDENT'S SIGNATURE MUST BE NOTARIED**.

☐ If your MSA contains CHILD SUPPORT provisions, you must complete:

- a. **Child Support Case Registry Form** (Form FL-191) [www.courtinfo.ca.gov/forms/fillable/fl191.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl191.pdf) And you must attach the following informational sheet to the **Judgment**:
- b. **Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information on Changing a Child Support Order** (Form FL-192) [www.courtinfo.ca.gov/forms/documents/fl192.pdf](http://www.courtinfo.ca.gov/forms/documents/fl192.pdf)

If you have agreed to a child support amount that is less than the guideline amount, your agreement must contain the wording as indicated in Family Code Section §4065 or you must both sign the **Stipulation to Establish or Modify Child Support and Order** (Form FL-350) [www.courtinfo.ca.gov/forms/fillable/fl350.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl350.pdf); Box 6b must be checked. If you would like the child support to be taken from the payor's paycheck, you must complete the **Order/Notice to Withhold Income for Child Support** (Form FL-195) [www.courtinfo.ca.gov/forms/fillable/fl195.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl195.pdf)

☐ If your MSA contains SPOUSAL SUPPORT waivers and you were married ten years or more, you must complete the following additional forms:

- a. **Income and Expense Declaration** (FL-150), which includes **Income** information, **Expenses**, and **Child Support** information (*the child support information page is only completed if your case involves child support, however, you must file all 4 pages with the court*) [www.courtinfo.ca.gov/forms/fillable/fl150.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl150.pdf)
- b. You may also complete an **Earnings Assignment Order for Spousal Support** (FL-435) if you would like the support to be garnished from your spouse's paycheck. [www.courtinfo.ca.gov/forms/fillable/fl435.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl435.pdf)

☐ **Notice of Entry of Judgment** (FL-190) [www.courtinfo.ca.gov/forms/fillable/fl190.pdf](http://www.courtinfo.ca.gov/forms/fillable/fl190.pdf)  
Complete this form and provide your address and your spouse's address in the boxes at the bottom of the form.

☐ **Family Law Judgment Checklist**. This form is your declaration that you have provided all of the required documents to the court. Answer all items under the "Default Case" section of this form, sign and date. If an item is not applicable, indicate with a "N/A." However, most items are required so check these instructions before assuming an item/document is not required.

## FILING

2. The forms listed above should be submitted to the Express Window in the Clerk's Office at the same time. However, some forms have special filing requirements.

- a. **Request to Enter Default.** Submit **original and two copies** to the Express Window in the Clerk's Office, together with one *stamped* envelope addressed to your spouse with the court's address as the return address. The clerk will forward the request for processing. Once the file has been reviewed, the clerk will then enter default and mail the notice of default to your spouse. Additionally, if you would like a copy mailed to you, you must submit a self-addressed envelope with postage prepaid.
- b. **Declaration Regarding Service of *Final Declaration of Disclosure*** Only file these forms if you have not waived receipt as described in paragraph 1 above.
- c. **Family Law Judgment Checklist, Declaration for Default or Uncontested Dissolution or Legal Separation, and Judgment with *Marital Settlement Agreement*** attached. Submit **original and two copies** of each of these documents to the Express Window in the Clerk's Office. The clerk will forward the documents for processing. Once the **Judgment** has been signed, the clerk will file the original.

An optional large self-addressed stamped envelope with postage prepaid may be included if you would like copies of the **Declaration for Default or Uncontested Dissolution or Legal Separation** and **Judgment** mailed to you. Otherwise, the copies will be left in the "Pro Per Bin" which is located next to the Attorney bins, where you may pick them up approximately six (6) weeks after submission.

- d. If your *MSA* contains CHILD SUPPORT provisions, you must submit the original and two copies of the following documents along with the above-mentioned documents:
  - i. **Child Support Case Registry Form** (Form FL-191)
  - ii. **Stipulation to Establish or Modify Child Support and Order** (FL-350), if applicable

You must also attach the following informational sheets to the **Judgment**:

- iii. **Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information on Changing a Child Support Order** (Form FL-192) (Attachment only)

If you would like the support to be garnished from the payor's paycheck, you must submit the original and two copies of the **Order/Notice to Withhold Income for Child Support**. After the judicial officer has signed this **Order/Notice**, you must mail the **Order/Notice** to your spouse's employer. If you need assistance,

contact the Family Law Assistance Center, which is located on the 3<sup>rd</sup> Floor of the courthouse.

- e. If your *MSA* contains SPOUSAL SUPPORT waivers and you were married for ten years or more, you must submit the original and two copies of the **Income and Expense Declaration** (all four pages) along with the above-mentioned documents. You may also submit the original and two copies of the **Earnings Assignment Order for Spousal Support** if you would like the payments to be taken from the payor's paychecks. After the judge has signed this **Order**, you must mail the **Order** to your spouse's employer. If you need assistance, contact the Family Law Assistance Center located on the 3<sup>rd</sup> Floor of the courthouse.
- f. **Notice of Entry of Judgment.** Submit *original and two copies* along with *two large stamped envelopes*, one addressed to you and the other addressed to your spouse with the court's address as the return address. These envelopes are **not** optional and are in addition to those required for the **Request to Enter Default**. The Clerk will enter the date of final Judgment on this form, file the original and mail one copy to you and the other copy to your spouse. If you provide large enough envelopes, the Clerk will include copies of the **Judgment** with attached Marital Settlement Agreement/Stipulated Judgment and **Declaration for Default or Uncontested Dissolution or Legal Separation** when mailing the **Notice of Entry of Judgment**.